

**Title 46**  
**PROFESSIONAL AND OCCUPATIONAL STANDARDS**  
**Part XLV. Medical Professions**  
**Subpart 2. Licensure and Certification**

**Chapter 31. Athletic Trainers**

**Subchapter A. General Provisions**

**§3101. Scope of Chapter**

A. The rules of this Chapter govern the certification of athletic trainers in the state of Louisiana.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 37:3301-3312.

**HISTORICAL NOTE:** Promulgated by the Department of Health and Human Resources, LR 12:522 (August 1986).

**§3103. Definitions**

A. As used in this Chapter, the following terms and phrases shall have the meanings specified.

*Actively Engaged*—the phrase actively engaged as an athletic trainer, as applied to any person, means that:

a. such person is employed by an educational institution, professional athletic organization, or other board-approved athletic organization for the duration of the institution's academic year or the length of the organization's season;

b. such person performs the duties of athletic trainer as the principal responsibility of such employment; and

c. such employment is such person's primary employment, or the primary reason for such person's employment.

*Advisory Committee*—the Athletic Training Advisory Committee to the Board, constituted under and pursuant to §3104.

*Applicant*—a person who has applied to the board for certification as a certified athletic trainer.

*Application*—a written request directed to and received by the board, upon forms supplied by the board, for certification as an athletic trainer in the state of Louisiana.

*Approved*—as applied to a school, college, university, organization, program, curriculum, or course of study, shall mean affirmatively recognized and sanctioned by the board in accordance with §§3111-3117 of this Chapter.

*Board*—the Louisiana State Board of Medical Examiners.

*Certification*—the board's official recognition of a person's lawful authority to act and serve as an "athletic trainer" as such term is defined by the law, R.S. 37:3302.

*Certified Athletic Trainer*—a person possessing a current certificate, duly issued by the board, evidencing the board's certification of such person under the law.

*Louisiana Athletic Trainers Law or the Law*—Acts 1985, Number 288, as amended, R.S. 37:3301-3312.

*NATA*—the National Athletic Trainers Association, or its successor.

*Physician*—a person holding a current unrestricted license to engage in the practice of medicine in the state of Louisiana, duly issued by the board.

*State*—any state of the United States, the District of Columbia, and Puerto Rico.

B. Masculine terms wherever used in this Chapter shall also be deemed to include the feminine.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 37:3301-3312 and R.S. 37:1270(B)(6).

**HISTORICAL NOTE:** Promulgated by the Department of Health and Human Resources, LR 12:522 (August 1986), amended by the Department of Health and Hospitals, Board of Medical Examiners, LR 24:937 (May 1998).

**§3104. Athletic Training Advisory Committee**

A. Constitution. An Athletic Training Advisory Committee ("the advisory committee") to the board is hereby constituted, to be composed and appointed, to have such functions, and to discharge such responsibilities as hereinafter provided.

B. Composition and Qualifications. The advisory committee shall comprise seven members, including five athletic trainers and two physicians, each of whom shall, to be eligible for and prior to appointment to the committee, be certified as an athletic trainer or licensed as a physician by and in good standing with the board, have maintained residency and practice in the state of Louisiana for not less than one year and have not less than three years of experience in their respective fields. In addition to such general qualifications, the athletic trainer and physician members of the advisory committee shall satisfy the following qualifications.

1. Athletic Trainer Members. The athletic trainer members of the committee shall be appointed and apportioned as follows:

a. one of such members shall be employed or appointed as an athletic trainer by and for a high school;

b. one of such members shall be employed or appointed as an athletic trainer by and for a college or university; and

c. insofar as practical or possible, in its appointment of members to the advisory committee, the board shall maintain geographic diversity so as to provide membership on the advisory committee by certified athletic trainers residing and practicing throughout Louisiana, with at least one member from the Alexandria, Louisiana area or north, and at least one member from south of such area.

2. Physician Members. The physician members of the committee shall each:

a. hold the title of team physician or its equivalent, employed or appointed by a Louisiana high school, college, university, or professional athletic team; and

b. have responsibility for and an active role in the direct supervision of athletic trainers.

C. Appointment; Term of Service. Each member of the advisory committee shall be appointed by the board from among a list of not fewer than two qualified nominees for each committee position submitted to the board by the Louisiana Athletic Trainers Association (LATA), or its successor. Each nomination so submitted shall be accompanied by a personal résumé or *curriculum vitae* for the nominee. Each member of the advisory committee shall serve on the committee for a term of three years, or until his or her successor is appointed, and shall be eligible for reappointment.

D. Functions and Responsibilities of the Committee. The advisory committee is responsible and authorized by the board to:

1. assist the board in examining the qualifications and credentials of applicants for athletic trainer certification and make recommendations thereon to the board;
2. advise and assist the board, as the board may request, with respect to investigative and disciplinary proceedings affecting certified athletic trainers;
3. provide advice and recommendations to the board respecting the modification, amendment, and supplementation of rules and regulations, standards, policies, and procedures respecting athletic trainer certification and practice; and
4. establish and appoint a continuing education subcommittee, comprising no fewer than three athletic members of the advisory committee, to discharge the responsibilities prescribed by §3169.

E. Committee Meetings, Officers. The advisory committee shall meet at least twice each calendar year, or more frequently as may be deemed necessary by a quorum of the committee or by the board. The presence of five members, including at least one physician member, shall be requisite to constitute a quorum of the advisory committee. The advisory committee shall elect, from among its members, a chairman, a vice-chair, and a secretary. The chairman, or in his absence or unavailability, the vice-chair, shall call, designate the date, time, and place of, and preside at all meetings of the

committee. The secretary shall record, or cause to be recorded, accurate and complete written minutes of all meetings of the advisory committee and shall cause copies of the same to be provided to the board.

F. Confidentiality. In discharging the functions authorized by the board under §3104, the advisory committee and the individual members thereof shall, when acting within the scope of such authority, be deemed agents of the board. All information obtained by the committee members pursuant to §3401.D, or pursuant to Subchapter H of this Chapter, shall be considered confidential. As such, advisory committee members are prohibited from communicating, disclosing, or in any way releasing to anyone, other than the board, any information or documents obtained when acting as agents of the board without first obtaining written authorization of the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-3312 and R.S. 37:1270(B)(6).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Medical Examiners, LR 24:937 (May 1998).

## **Subchapter B. Requirements and Qualifications for Certification**

### **§3105. Scope of Subchapter**

A. The rules of this Subchapter govern and prescribe the requirements, qualifications, and conditions requisite to eligibility for certification as a certified athletic trainer in the state of Louisiana.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-3312.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:522 (August 1986).

### **§3107. Requirements for Certification**

A. To be eligible and qualified for certification, an applicant shall:

1. be at least 18 years of age;
2. be a citizen of the United States or possess valid and current legal authority to reside and work in the United States duly recognized and issued by the commissioner of the Immigration and Naturalization Service of the United States under and pursuant to the Immigration and Nationality Act (66 Stat. 163) and the commissioner's regulations thereunder (8 CFR);
3. possess at least one of the following educational qualifications:
  - a. have successfully completed and graduated from an athletic training program of curriculum at a college or university approved by the board; or
  - b. possess a degree in physical therapy issued by a school, college, or university approved by the board; have successfully completed a basic athletic training course; a first-aid course approved by the American Red Cross, a cardiopulmonary resuscitation course approved by the American Heart Association or the American Red Cross, and a

nutrition course; have been associated for not less than two years with an athletic team; demonstrate proficiency in athletic care; and possess letters of recommendation from a physician and a certified athletic trainer; or

c. possess a college or university diploma; have successfully completed not less than three consecutive (military duty excepted) and four total years employment or service as an apprentice athletic trainer at a college or university under the direct supervision of a state certified or licensed athletic trainer; and have successfully completed courses in athletic training, first-aid, cardiopulmonary resuscitation, and nutrition at an accredited college or university;

4. take and successfully pass the written and/or oral certification examination administered by the board or by the NATA or its successor;

5. satisfy the applicable fees as prescribed by Chapter 81 of these rules;

6. satisfy the procedures and requirements for application provided by §§3127-3131 of this Chapter and, if applicable, the procedures and requirements for examination provided by §3133-3151 of this Chapter; and

7. not be otherwise disqualified for certification by virtue of the existence of any grounds for denial of certification as provided by the law or in these rules.

B. The burden of satisfying the board as to the qualifications and eligibility of the applicant for certification shall be upon the applicant. An applicant shall not be deemed to possess such qualifications unless the applicant demonstrates and evidences such qualifications in the manner prescribed by, and to the satisfaction of, the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-3312.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:522 (August 1986).

### **§3109. Alternative Qualification**

A. A person who possesses and meets all of the qualifications and requirements for certification specified by §3107 of this Chapter, save for successfully passing the certification examination administered by the board, shall nonetheless be deemed qualified for certification, without the necessity of examination by the board, provided that:

1. he was actively engaged as an athletic trainer in the state of Louisiana on and as of September 6, 1985, and, at the time of his application for certification, is currently certified by a member of the NATA; or

2. he was actively engaged as an athletic trainer for a period of not less than three years prior to September 6, 1985, and is recommended for certification by a physician and two certified athletic trainers.

B. A person who possesses and meets all of the qualifications and requirements for certification specified by §3107.A.3 shall nonetheless be deemed qualified for certification provided that such person has been actively

engaged as an athletic trainer for a period of not less than three years prior to September 6, 1985.

C. To be eligible and qualified for certification under §3109.A or B, an applicant's application must be submitted to and received by the board on or before September 6, 1986. Following such date, the board shall neither receive nor consider any applicant for initial certification under this section.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-3312.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:523 (August 1986).

## **Subchapter C. Board Approval**

### **§3111. Scope of Subchapter**

A. The rules of this Subchapter prescribe the requirements for board approval of schools, colleges, universities, athletic trainers, and athletic organizations where such approval is required for the purpose of assessing qualifications for certification.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-3312.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:523 (August 1986).

### **§3113. Applicability of Approval**

A. Successful completion of an athletic training curriculum and graduation from a board-approved college or university is among the alternative educational qualifications requisite to certification, as provided by §3107.A.3.a.

B. Possessing a degree in physical therapy from a school approved by the board is among the alternative educational qualifications requisite to certification, as provided by §3107.A.3.b.

C. Apprenticeship under the supervision of an athletic trainer approved by the board is among the alternative qualifications requisite to certification, as provided by §3107.A.3.c.

D. To qualify for certification under the provisions of §3109 of this Chapter, a person may have been actively engaged as an athletic trainer in the employment of an athletic organization approved by the board, as provided by §3103.A.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-3312.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:523 (August 1986).

### **§3115. Approval of Schools and Colleges**

A. A college or university which is currently accredited and approved by the NATA, or its successor, shall be concurrently considered approved by the board for purposes of qualification under §3107.A.3.a.

B. Board approval of a college or university hereunder shall be deemed to be effective as to an applicant if such college or university was approved as of the date on which the applicant's degree was awarded or the applicant successfully

completed the athletic trainer program or curriculum at such college or university.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-3312.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:523 (August 1986).

#### **§3117. Approval of Physical Therapy Schools**

A. A physical therapy school located in any state which is currently accredited by an accrediting agency recognized by the Council on Post-Secondary Accreditation or the United States Commission on Education, or their successors, shall be concurrently considered approved by the board for purposes of qualification for certification under §3107.A.3.b.

B. Board approval of a physical therapy school shall be deemed to be effective as to an applicant if such school was approved by the board as of the date on which the applicant's degree in physical therapy was awarded.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-3312.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:523 (August 1986).

#### **§3119. Approval of Athletic Trainers**

A. A person shall be deemed to be an "athletic trainer approved by the board," as contemplated by §3107.A.3.c hereof, if such person is a certified athletic trainer, duly certified by the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-3312.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:523 (August 1986).

#### **§3121. Approval of Athletic Organizations**

A. "Board-approved athletic organization," as used in §3103.A, shall be deemed to include the Amateur Athletic Union, the International Olympic Committee and its affiliates, the Pan American Committee, the National Collegiate Athletic Association, the National Association of Intercollegiate Athletics, the National High School Athletic Association, institution-sponsored and supported college and university intramural programs, and such other organizations, associations, institutions, programs, and events as the board may determine, upon individual application, to possess and apply characteristics and standards substantially equivalent to those possessed and applied by the institutions, organizations, and associations enumerated herein.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-3312.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:523 (August 1986).

#### **§3123. Withdrawal of Approval**

A. Notwithstanding current or prior approval by the board pursuant to the provisions of this Subchapter or by individual determination, the board's approval of any school, college, university, athletic trainer, or athletic organization may be withdrawn at any time upon the board's affirmative finding that such school, college, university, athletic trainer, or athletic

organizations does not possess the qualifications for approval specified by this Subchapter or by the law.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-3312.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:523 (August 1986).

#### **§3125. List of Approved Schools, Colleges, and Universities**

A. A listing of approved colleges and universities having athletic trainer courses, curricula or degree programs and shall from time to time be amended and supplemented by the board consistently with the provisions of this Subchapter.

B. A listing of approved physical therapy schools shall from time to time be amended and supplemented by the board consistently with the provisions of this Subchapter.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-3312.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:524 (August 1986).

### **Subchapter D. Application**

#### **§3127. Purpose and Scope**

A. The rules of this Subchapter govern the procedures and requirements applicable to application to the board for certification as a certified athletic trainer in the state of Louisiana.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-3312.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:524 (August 1986).

#### **§3129. Application Procedure**

A. Application for certification shall be made upon forms prescribed and supplied by the board.

B. If application is made for certification on the basis of examination to be administered by the board, an initial application must be received by the board not less than 90 days prior to the scheduled date of the examination for which the applicant desires to sit (see Subchapter E of this Chapter respecting dates and places of examination). A completed application must be received by the board not less than 60 days prior to the scheduled date of such examination.

C. Application for certification based upon qualifications not requiring written examination administered by the board may be made at any time.

D. Application forms and instructions pertaining thereto may be obtained upon personal request at or written request directed to the office of the board. Application forms will be mailed by the board within 30 days of the board's receipt of request therefor. To ensure timely filing and completion of applications, forms must be requested not later than 40 days prior to the deadlines for initial applications specified in §3129.B.

E. An application for certification under this Chapter shall include:

1. proof, documented in a form satisfactory to the board, that the applicant possesses the qualifications for certification set forth in this Chapter;

2. three recent photographs of the applicant; and

3. such other information and documentation as are referred to or specified in this Chapter, or as the board may require, to evidence qualification for certification.

F. All documents required to be submitted to the board must be the original thereof. For good cause shown, the board may waive or modify this requirement.

G. The board may refuse to consider any application which is not complete in every detail, including submission of every document required by the application form. The board may, in its discretion, require a more detailed or complete response to any request for information set forth in the application form as a condition to consideration of an application.

H. Each application submitted to the board shall be accompanied by the applicable fee, as provided in Chapter 81 of these rules.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-3312 and R.S. 37:1270(B)(6).

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:524 (August 1986), amended by the Department of Health and Hospitals, Board of Medical Examiners, LR 24:938 (May 1998).

### **§3131. Effect of Application**

A. The submission of an application for certification to the board shall constitute and operate as an authorization by the applicant to each educational institution at which the applicant has matriculated, each governmental agency to which the applicant has applied for any license, permit, certificate, or registration, each person, firm, corporation, organization, or association by whom or with whom the applicant has been employed as an athletic trainer or apprentice athletic trainer, each physician whom the applicant has consulted or seen for diagnosis or treatment, and each professional or trade organization to which the applicant has applied for membership, to disclose and release to the board any and all information and documentation concerning the applicant which the board deems material to consideration of the application. With respect to any such information or documentation, the submission of an application for certification to the board shall equally constitute and operate as a consent by the applicant to disclosure and release of such information and documentation as a waiver by the applicant of any privileges or right of confidentiality which the applicant would otherwise possess with respect thereto.

B. By submission of an application for certification to the board, an applicant shall be deemed to have given his consent to submit to physical or mental examinations if, when, and in the manner so directed by the board if the board has reasonable grounds to believe that the applicant's capability to act as an athletic trainer with reasonable skill or safety to student athletes may be compromised by physical or mental condition, disease or infirmity, and the applicant shall be deemed to have waived all objections as to the admissibility or

disclosure of findings, reports, or recommendations pertaining thereto on the grounds of privileges provided by law.

C. The submission of an application for certification to the board shall constitute and operate as an authorization and consent by the applicant to the board to disclose any information or documentation, set forth in or submitted with the applicant's application or obtained by the board from other persons, firms, corporations, associations, or governmental entities pursuant to §3131, to any person, firm, corporation, association, or governmental entity having a lawful, legitimate, and reasonable need therefor, including, without limitation, the athletic trainer certification or licensing authority of any state, the National Athletic Trainers Association, the Louisiana Athletic Trainers Association, the Louisiana Department of Health and Hospitals, state, county or parish, and municipal health and law enforcement agencies and the armed services.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-3312 and R.S. 37:1270(B)(6).

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:524 (August 1986), amended by the Department of Health and Hospitals, Board of Medical Examiners, LR 24:938 (May 1998).

## **Subchapter F. Examination**

### **§3133. Designation of Examination**

A. The examination administered and accepted by the board pursuant to R.S. 48:3303.B is the National Athletic Trainers Association Certification Examination developed by the NATA and the Professional Examination Service.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-3312.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:524 (August 1986).

### **§3135. Eligibility for Examination**

A. To be eligible for examination by the board, an applicant shall possess all qualifications for certification prescribed by this Chapter save for having successfully completed the examination; provided, however, that an applicant who has completed, or prior to the next scheduled examination will complete, an athletic trainer or other curriculum or degree program required by this Chapter but who does not yet possess a degree or evidence of such completion shall be deemed eligible for examination upon submission to the board of a letter subscribed by the dean or other principal academic officer of an approved educational institution certifying that the applicant has completed the applicable curriculum or degree program or will have completed such curriculum or program prior to the board's next scheduled examination and specifying the date on which such curriculum will be completed or degree awarded.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-3312.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:524 (August 1986).

### **§3137. Dates, Places of Examination**

A. The board's examination is administered annually in the city of New Orleans. Applicants shall be advised of the specific date, time, and location of the next scheduled examination upon application to the board and may obtain such information upon inquiry to the office of the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-3312 and R.S. 37:1270(B)(6).

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:525 (August 1986), amended by the Department of Health and Hospitals, Board of Medical Examiners, LR 24:938 (May 1998).

### **§3139. Administration of Examination**

A. The board's certification examination is administered by a chief proctor, appointed by the board, and one or more assistant proctors. The chief proctor is authorized and directed by the board to obtain positive photographic identification from all applicants appearing and properly registered for the examination, to establish and require examinees to observe an appropriate seating arrangement, to provide appropriate instructions for taking the examination, to fix and signal the time for beginning and ending the examination or the section thereof, to prescribe such additional rules and requirements as are necessary or appropriate to the taking of the examination in the interest of the examinees or the examination process, and to take all necessary and appropriate actions to secure the integrity of the examination and the examination process, including, without limitation, excusing an applicant for the examination or changing an applicant's seating location at any time during the examination.

B. An applicant who appears for examination shall:

1. present to the chief proctor or his designated assistant proctor proof of registration for the examination and positive personal photographic identification in the form prescribed by the board; and

2. fully and promptly comply with any and all rules, procedures, instructions, directions, or requests made or prescribed by the chief proctor.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-3312.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:525 (August 1986).

### **§3141. Subversion of Examination Process**

A. An applicant-examinee who engages or attempts to engage in conduct which subverts or undermines the integrity of the examination process shall be subject to the sanctions specified in §3145 of this Chapter.

B. Conduct which subverts or undermines the integrity of the examination process shall be deemed to include:

1. refusing or failing to fully and promptly comply with any rules, procedures, instructions, directions, or requests made by the chief proctor or an assistant proctor;

2. removing from the examination room or rooms any of the examination materials;

3. reproducing or reconstructing, by copying, duplication, written notes or electronic recording, any portion of the certification examination;

4. selling, distributing, buying, receiving, obtaining, or having unauthorized possession of a future, current, or previously administered certification examination;

5. communicating in any manner with any other examinee or any other person during the administration of the examination;

6. copying answers from another examinee or permitting one's answers to be copied by another examinee during the administration of the examination;

7. having in one's possession during the administration of the examination any materials or objects other than the examination materials distributed, including, without limitation, any books, notes, recording devices, or other written, printed, or recorded materials or data of any kind;

8. impersonating an examinee by appearing for and as an applicant and taking the examination for, as and in the name of an applicant other than himself;

9. permitting another person to appear for and take the examination on one's behalf and in one's name; or

10. engaging in any conduct which disrupts the examination or the taking thereof by the other examinees.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-3312.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:525 (August 1986).

### **§3143. Finding of Subversion**

A. When, during the administration of examination, the chief proctor or any assistant proctor has reasonable cause to believe that an applicant-examinee is engaging or attempting to engage, or has engaged or attempted to engage, in conduct which subverts or undermines the integrity of the examination process, the chief proctor shall take such action as he deems necessary or appropriate to terminate such conduct and shall report such conduct in writing to the board.

B. In the event of suspected conduct described in §3141.B.5 or 6, the subject applicant-examinee shall be permitted to complete the examination, but shall be removed at the earliest practical opportunity to a location precluding such conduct.

C. When the board, upon information provided by the chief proctor, an assistant proctor, an applicant-examinee, or any other person, has probable cause to believe that an applicant has engaged or attempted to engage in conduct which subverts or undermines the integrity of the examination process, the board shall so advise the applicant in writing, setting forth the grounds for its finding of probable cause, specifying the sanctions which are mandated or permitted for such conduct by §3145 of this Subchapter and provide the applicant with an opportunity for hearing pursuant to R.S. 49:955-58 and applicable rules of the board governing administrative hearings. Unless waived by the applicant, the

board's findings of fact, conclusions of law under these rules, and its decision as to the sanctions, if any, to be imposed shall be made in writing and served upon the applicant.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-3312.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:525 (August 1986).

#### **§3145. Sanctions for Subversion of Examination**

A. An applicant who is found by the board, prior to the administration of the examination, to have engaged in conduct or to have attempted to engage in conduct which subverts or undermines the integrity of the examination process may be permanently disqualified from taking the examination and from certification as an athletic trainer in the state of Louisiana.

B. An applicant-examinee who is found by the board to have engaged or to have attempted to engage in conduct which subverts or undermines the integrity of the examination process shall be deemed to have failed the examination. Such failure shall be recorded in the official records of the board.

C. In addition to the sanctions permitted or mandated by §3145.A and B, as to an applicant-examinee found by the board to have engaged or to have attempted to engage in conduct which subverts or undermines the integrity of the examination process, the board may:

1. revoke, suspend, or impose probationary conditions on any certification issued to such applicant;
2. disqualify the applicant, permanently or for a specified period of time, from eligibility for certification in the state of Louisiana; or
3. disqualify the applicant, permanently or for a specified number of subsequent administrations of the examination, from eligibility for examination.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-3312.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:525 (August 1986).

#### **§3147. Passing Score**

A. An applicant will be deemed to have successfully passed the examination if he attains a score of at least 60; provided, however, that with respect to any given administration of the examination, the board may determine to accept a lower score as passing.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-3312.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:525 (August 1986).

#### **§3149. Restriction, Limitations on Examinations**

A. An applicant having failed to attain a passing score upon taking the certification examination four times shall not thereafter be considered for certification and shall not be eligible to take the examination again.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-3312.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:525 (August 1986).

#### **§3151. Lost, Stolen, or Destroyed Examinations**

A. The submission of an application for examination by the board shall constitute and operate as an acknowledgment and agreement by the applicant that the liability of the board, its members, committees, employees and agents, and the state of Louisiana to the applicant for the loss, theft, or destruction of all or any portion of an examination taken by the applicant, prior to the reporting of scores thereon by the Professional Examination Service or NATA shall be limited exclusively to the refund of the fees paid for examination by the applicant.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-3312.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:526 (August 1986).

### **Subchapter G. Certificate Issuance, Termination, Renewal, Reinstatement**

#### **§3153. Issuance of Certificate**

A. If the qualifications, requirements, and procedures prescribed or incorporated by §§3105 or 3107 and §3129 are met to the satisfaction of the board, the board shall issue to the applicant a certificate evidencing the applicant's certification as a certified athletic trainer in the state of Louisiana.

B. A certificate issued by the board on the basis of examination by the board shall be issued by the board within 30 days following the reporting of the applicant's certification scores to the board. A certificate issued to an applicant not required to be examined by the board shall be issued by the board within 15 days following the meeting of the board next following the date on which the applicant's application, evidencing all requisite qualifications, is completed in every respect.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-3312.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:526 (August 1986).

#### **§3155. Expiration of Certificates**

A. Every certificate issued by the board under this Chapter shall expire, and thereby become null, void, and to no effect, on the thirtieth day of June next following the date on which certificate was issued.

B. The timely submission of an application for renewal of a certificate, as provided by §3157 hereof, shall operate to continue the expiring certificate in force and effect pending the board's issuance, or denial of issuance, of the renewal certificate.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-3312.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:526 (August 1986).

#### **§3157. Renewal of Certificate**

A. Every certificate issued by the board under this Chapter shall be renewed annually on or before the date of its

expiration by submitting to the board an application for renewal, upon forms supplied by the board, together with evidence of the qualifications requisite to renewal as specified in §3159 and the applicable renewal fee prescribed in Chapter 81 of these rules.

B. An application for renewal of certificate shall be mailed by the board to each person holding a certificate issued under this Chapter on or before the first day of June of each year. Such form shall be mailed to the most recent address of each certified athletic trainer as reflected in the official records of the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-3312.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:526 (August 1986).

### **§3159. Qualifications for Renewal; Continuing Education**

A. To be eligible for renewal of certification, a certified athletic trainer shall, within each two-year period during which he holds certification, successfully complete 24 credits/hours of continuing education recognized by the NATA and shall biannually evidence such continuing education upon forms prescribed by the board to be submitted by an applicant for certificate renewal together with the renewal application.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-3312.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:526 (August 1986).

### **§3161. Reinstatement of Certification**

A. A certificate which has expired without renewal may be reinstated by the board if application for reinstatement is made not more than two years from the date of expiration and subject to the conditions and procedures hereinafter provided.

B. An application for reinstatement shall be made upon forms supplied by the board and accompanied by two letters of recommendation from responsible officers of the applicant's last employment as an athletic trainer, together with the applicable renewal fee plus a penalty equal to twice the renewal fee.

C. With respect to an application for reinstatement made more than one year from the date on which the certificate expired, as a condition of reinstatement the board may require that the applicant complete a statistical affidavit upon a form provided by the board, provide the board with a recent photograph, and/or possess current, unrestricted certification or licensure issued by another state.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-3312.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:526 (August 1986).

### **§3162. Restricted Certificates**

A. General. With respect to applicants who do not meet or possess all of the qualifications and requirements for certification required by this Chapter the board may, in its discretion, issue such temporary restricted certificates as are in its judgment necessary or appropriate to its responsibilities

under law. Temporary restricted certificates shall be designated and known as permits.

B. Effect of Permit. A permit entitles the holder to engage in the practice of athletic training in the state of Louisiana only for the period of time specified by such permit and creates no right or entitlement to certification or renewal of the permit after its expiration.

C. Types of Permits. The types of permits that the board may consider issuing are enumerated in the following paragraphs of this section. Other permits may be issued by the board upon such terms, conditions, limitations, or restrictions as to time, place, nature, and scope of practice as deemed, in its judgment, necessary or appropriate to the particular circumstances of individual applicants.

D. Limitations. Athletic trainers holding any permit issued under this Section may practice athletic training only under the supervision and direction of a certified athletic trainer who holds certification issued by the board, who shall provide such on-premises supervision and direction to the permit holder as is adequate to ensure the safety and welfare of athletes. Such supervision and direction shall be deemed to be satisfied by on-premises direction and supervision for not less than one hour each week.

E. Permit Pending Application for Visa. The board may issue a permit to practice athletic training to an applicant who is otherwise completely qualified for certification as an athletic trainer, save for possessing an H-1 or equivalent visa, provided that the applicant has completed all applicable requirements and procedures for issuance of certification or a permit and is eligible for an H-1 or equivalent visa under the rules and regulations promulgated by the United States Immigration and Naturalization Service (INS).

1. A permit issued under §3162.E shall expire and become null and void on the earlier of:

- a. 90 days from the date of issuance of such permit;
- b. 10 days following the date on which the applicant receives notice of INS action granting or denying the applicant's petition for an H-1 or equivalent visa; or
- c. the date on which the board gives notice to the applicant of its final action granting or denying issuance of certification to practice athletic training.

2. The board may in its discretion extend or renew, for one or more additional 90-day periods, a permit that has expired pursuant to §3162.E.1.a in favor of an applicant who holds such a permit and who has filed a petition for an H-1 or equivalent visa with the INS, but whose pending petition has not yet been acted on by the INS within 90 days from issuance of such permit.

F. Permit Pending Examination/Results. The board may issue a permit to practice athletic training to an applicant who has taken the examination required by §3107.A.4 but whose scores have not yet been reported or to an applicant scheduled to take the examination at its next administration who has not previously failed such examination, to be effective pending the reporting of such scores to the board, provided that the



applicant possesses and meets all of the qualifications and requirements for certification required under this Chapter, save for having taken, passed, or received the results of the examination specified in §3107.A.4.

1. A permit issued under §3162.F shall expire, and thereby become null, void and to no effect on the earlier of any date that:

a. the board gives written notice to the permit holder that he has failed to achieve a passing score on the certification examination;

b. the board gives written notice to the permit holder pursuant to §3143.C that it has probable cause to believe that he has engaged or attempted to engage in conduct which subverted or undermined the integrity of the examination process;

c. the permit holder is issued a certificate to practice athletic training pursuant to §3153 of this Chapter; or

d. the holder of a permit issued under §3162.F fails to appear for and take the certification examination for which he has registered.

2. The board may, in its discretion, extend or renew a permit which has expired pursuant to §3162.F.1 in favor of an applicant who makes written request to the board and evidences to its satisfaction a life-threatening or other significant medical condition, financial hardship or other extenuating circumstance.

G. Permit Pending Application. The board may issue a permit to practice athletic training, effective for a period of 60 days, to an applicant who has made application to the board for certification as an athletic trainer, who provides satisfactory evidence of having successfully completed the examination required by §3107.A.4 and who is not otherwise demonstrably ineligible for certification under R.S. 37:3307.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1261-1292, R.S. 37:1270, R.S. 37:3301-3312 and R.S. 37:3303.A(4).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Medical Examiners, LR 28:830 (April 2002).

## **Subchapter H. Continuing Education**

### **§3163. Scope of Subchapter**

A. The rules of this Subchapter provide standards for the continuing education requisite to renewal of certification as an athletic trainer as required by §§3159 and 3165 of these rules and prescribe the procedures applicable to documentation of continuing education in connection with application for renewal of certification.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1270(B) and R.S. 37:3303.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Medical Examiners, LR 16:510 (June 1990).

### **§3165. Continuing Education Requirement**

A. To be eligible for renewal of certification, a certified athletic trainer shall, within each two-year period during

which he holds certification, evidence and document, upon forms supplied by the board, successful completion of not less than 2.4 continuing education units. A continuing education unit (CEU) constitutes 10 hours of participation in an organized continuing education experience under responsible sponsorship, capable direction, and qualified instruction, as approved by the board; one hour is equal to one-tenth of a continuing education unit.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1270(B) and R.S. 37:3303.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Medical Examiners, LR 16:510 (June 1990).

### **§3167. Qualifying Programs and Activities**

A. To be acceptable as qualified continuing education under these rules, an activity or program must have significant intellectual or practical content, dealing primarily with matters related to athletic training, and its primary objective must be to maintain or increase the participant's competence as an athletic trainer.

B. The following programs and activities shall be deemed approved by the board for the number of continuing education units indicated.

1. A certified athletic trainer who is certified by and a member of the NATA shall receive credit for that number of continuing education units awarded or recognized by the NATA for attendance at or participation in any meeting, conference, workshop, seminar, course, or other activity held or conducted during the two-year period preceding renewal of certification.

2. One-tenth of a CEU shall be recognized for each hour of attendance at a course, seminar, or workshop sponsored by an organization or entity approved by the board and otherwise meeting the standards prescribed by §3167.A.

3. Six-tenths of a CEU shall be recognized for each instructional hour of presentation in the initial teaching, presentation, or conduct of a course, seminar, or workshop sponsored by an organization or entity approved by the board and otherwise meeting the standards prescribed by §3167.A, provided that such presentation is accompanied by thorough written materials or a comprehensive outline relating to the course, seminar, or workshop. Three-tenths of a CEU shall be recognized for each instructional hour of presentation for any subsequent teaching, presentation, or conduct of the same course, seminar, or workshop.

4. For the teaching of a course in or directly related to athletic training at an accredited educational institution, eight-tenths of a CEU shall be recognized for each hour of academic credit awarded by the institution to students for attendance at the course, provided that such teaching is not performed in the ordinary course of the certified athletic trainer's usual and ordinary employment.

5. One and one-half CEUs shall be recognized for publication, in a national, regional, or statewide scientific journal or other publication of a related profession, of an original written work, related to the maintenance or

improvement of athletic training knowledge or skills, and otherwise meeting the standards prescribed by §3167.A.

6. One-half of a CEU shall be recognized for each credit hour obtained in a course of postgraduate study beyond the bachelors degree level undertaken and completed at an accredited educational institution, provided that such course of study meets the standards prescribed by §3167.A.

7. Three-tenths of a CEU shall be recognized for the completion of a correspondence course sponsored and offered by an organization or entity approved by the board and meeting the standards prescribed by §3167.A.

8. One-half of a CEU shall be recognized for each year during which a certified athletic trainer, individually or jointly with one or more other certified athletic trainers, assumes responsibility for and discharges supervision of an apprentice or student athletic trainer for a full calendar year.

9. One-tenth of a CEU shall be recognized for each contact hour spent, by members in attendance at the annual meeting of the Louisiana Athletic Trainers' Association (LATA).

10. One-half of a CEU shall be recognized for each full year during which a certified athletic trainer serves as an elected or appointed officer or committee chairman of the LATA.

11. Two CEUs shall be recognized for each two weeks of volunteer service provided by a certified athletic trainer to any United State Olympic Committee-sponsored training center.

C. In addition to the programs and activities approved pursuant to §3167.B, upon application to the board pursuant to §3171 of these rules, the board may approve additional programs and activities as qualifying for continuing education unit credit and specify the CEUs which shall be recognized with respect to such program or activity.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1270(B) and R.S. 37:3303.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Medical Examiners, LR 16:510 (June 1990).

### **§3169. Continuing Education Subcommittee**

A. The continuing education subcommittee of the advisory committee ("the CE subcommittee"), constituted under authority of §3104, shall have the authority and responsibility to:

1. evaluate organizations and entities providing or offering to provide continuing education programs for athletic trainers and provide recommendations to the board with respect to the board's recognition and approval of such organizations and entities as sponsors of qualifying continuing education programs and activities pursuant to §§3171 and 3173;

2. review documentation of continuing education by certified athletic trainers, verify the accuracy of such information, and evaluate and make recommendations to the board with respect to whether programs and activities evidenced by applicants for renewal of certification comply

with and satisfy the standards for such programs and activities prescribed by these Rules;

3. request and obtain from applicants for renewal of certification such additional information as the committee may deem necessary or appropriate to enable it to make the evaluations and provide the recommendations for which the CE subcommittee is responsible.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1270(B) and R.S. 37:3303.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Medical Examiners, LR 16:511 (June 1990), amended LR 24:938 (May 1998).

### **§3171. Approval of Program Sponsors**

A. Any program, course, seminar, workshop, or other activity meeting the standards prescribed by §3167.A sponsored or offered by the NATA or LATA shall be presumptively deemed approved by the board for purposes of qualifying as an approved continuing education activity under §3167.B.2, 3, and 7.

B. Upon the recommendation of the CE subcommittee, the board may designate additional organizations and entities whose programs, courses, seminars, workshops, or other activities shall be deemed approved by the board for purposes of qualifying as an approved continuing education activity under §3167.B.2, 3, and 7.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1270(B) and R.S. 37:3303.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Medical Examiners, LR 16:511 (June 1990), amended LR 24:939 (May 1998).

### **§3173. Approval of Activities**

A. A continuing education activity of any type defined by §3167.B.2, 3, or 7 sponsored by an organization or entity not deemed approved by the board pursuant to §3171 or an activity of a type specified by §3167.B.4, 5, or 6 may be pre-approved by the board prior to participation in such activity or application for renewal of certification upon written request to the board therefor accompanied by a complete description of the nature, location, date, content, and purpose of such activity and such other information as the board may request to establish compliance of such activity with the standards prescribed by §3167.A.

B. Any such written request shall be referred by the board to the CE subcommittee for its recommendation. If the CE subcommittee's recommendation is against approval, the board shall give notice of such recommendation to the person requesting approval and the person requesting approval may appeal the CE subcommittee's recommendation to the board by written request delivered to the board within 10 days of such notice. The board's decision with respect to approval of any such activity shall be final. Persons requesting board preapproval of continuing education activities should allow not less than 90 days for such requests to be processed.

C. Prior approval of a continuing education activity by the board is not necessary for recognition of such activity by the

board for purposes of meeting the continuing education requirements requisite to renewal of certification.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1270(B) and R.S. 37:3303.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Medical Examiners, LR 16:512 (June 1990), amended LR 24:939 (May 1998).

### **§3175. Documentation Procedure**

A. A form for documenting and certifying the completion of continuing education as required by these rules shall be mailed by the board to each certified athletic trainer subject to continuing education requirements with the application for renewal of certification form mailed by the board pursuant to §3157 of these Rules. Such forms shall be completed and delivered to the board with certified athletic trainer's renewal application.

B. In lieu of or in addition to submission of the continuing education certification form supplied by the board, completion of all or part of the continuing education required by these rules may be satisfactorily evidenced, in whole or in part, by delivering or causing to be delivered to the board the original or a certified copy of a certification by the NATA as to CEU credits awarded or recognized by the NATA for continuing education activities undertaken and completed within the prior two-year period.

C. Any certification of continuing education activities not presumptively approved or preapproved in writing by the board pursuant to these rules shall be referred to the CE subcommittee for its evaluation and recommendations pursuant to §3169.B.2. If the CE subcommittee determines that an activity certified by an applicant for renewal in satisfaction of continuing education requirements does not qualify for recognition by the board or does not qualify for the number of continuing education units claimed by the applicant, the board shall give notice of such determination to the applicant for renewal and the applicant may appeal the CE subcommittee's recommendation to the board by written request delivered to the board within 10 days of such notice. The board's decision with respect to approval and recognition of any such activity shall be final.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1270(B) and R.S. 37:3303.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Medical Examiners, LR 16:512 (June 1990), amended LR 24:939 (May 1998).

### **§3177. Failure to Satisfy Continuing Education Requirements**

A. An applicant for renewal of certification who fails to evidence satisfaction of the continuing education requirements prescribed by the rules shall be given written notice of such failure by the board. The certification of the applicant shall remain in full force and effect for a period of 60 days following the mailing of such notice, following which it shall be deemed expired, unrenewed, and subject to revocation without further notice, unless the applicant shall have, within such 60 days, furnished the board satisfactory evidence, by affidavit, that:

1. applicant has satisfied the applicable continuing education requirements;

2. applicant is exempt from such requirements pursuant to these rules; or

3. applicant's failure to satisfy the continuing education requirements was occasioned by disability, illness, or other good cause as may be determined by the board.

B. The certification of an athletic trainer whose certification has expired by nonrenewal or been revoked for failure to satisfy the continuing education requirements of these rules may be reinstated by the board upon written application to the board filed within two years of the effective date of expiration, nonrenewal, or revocation accompanied by satisfactory documentation of the completion of not less than three continuing education units within the prior two years and payment of a reinstatement fee, in addition to all other applicable fees and costs, of \$50. Any continuing education activities recognized for purposes of reinstatement shall not be recognized for purposes of any subsequent renewal of certification.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1270(B) and R.S. 37:3303.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Medical Examiners, LR 16:512 (June 1990), amended LR 24:939 (May 1998).

### **§3179. Waiver of Requirements**

A. The board may, in its discretion and upon the recommendation of the CE subcommittee, waive all or part of the continuing education required by these rules in favor of a certified athletic trainer who makes written request for such waiver to the board and evidences to the satisfaction of the board a permanent physical disability, illness, financial hardship, or other similar extenuating circumstances precluding the athletic trainer's satisfaction of the continuing education requirements.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1270(B) and R.S. 37:3303.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Medical Examiners, LR 16:513 (June 1990), amended LR 24:939 (May 1998).